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DEPARTMENT FOR G, DRL/SEA, AND NSC/DEMOC

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SUBJECT: PRESIDENT'S HUMAN RIGHTS ROUNDTABLE AT 2007 UNGA:
PROPOSAL TO INCLUDE TURKISH PM ERDOGAN

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11. (U) Turkey just emerged with strengthened democratic credentials from a turbulent five-month period that tested its democracy. The result is a government with a new popular mandate, a parliament representative of 85 percent of the voters, and a new President who is likely to take an active foreign policy role. In the aftermath of their respective victories, both President Gul and PM Erdogan have emphasized their commitment to democracy, human rights, individual rights, diversity and a constitution that protects these individual rights. Both we and the EU - as Turkey reinvigorates its EU accession reform agenda - are urging the Turks to continue to expand freedom of expression, freedom of religion and other fundamental rights. Turkey, a majority Muslim representative democracy in a difficult region, is an excellent candidate for this roundtable.

12. (U) Mission Turkey's program to promote human rights and protect human rights defenders includes:

-High-level Meetings: The Ambassador, DCM, and high-level visiting USG officials frequently raise issues such as freedom of expression and religion during meetings with ministers and Foreign Ministry officials. On freedom of expression, for example, the Ambassador has urged the GOT to modify or eliminate controversial Penal Code Article 301, which makes it a crime to "insult Turkishness." A vivid case in point was the January murder of Hrant Dink, a prominent human rights advocate who had been convicted under Article 301; the Ambassador and Consul General attended his funeral, where thousands of Turks marched peacefully to honor Dink's memory. Mission officers have attended Article 301-related trials and meet often with freedom of speech advocates. Similarly, we meet frequently with religious minority leaders and spoke publicly to underscore USG concerns for government restrictions on the administration of their respective institutions. We, and high-level visitors, have asked the Turks to find a way to re-open the Ecumenical Patriarchate's Halki Seminary, including in a speech the Ambassador gave which coincided with Pope Benedict XVI's visit to Turkey.

-Raising the Profile of Local NGOs: In Turkey, NGOs are still struggling to gain influence in the policy arena; the scope and number of these civil society organizations has, however, expanded exponentially over the past decade. We meet with them regularly at all levels, including to help devise strategies to obtain funding, build effective networks, promote interests, and follow through on issues. In one successful 2007 case, post's human rights officer met with leaders of Jehovah's Witnesses in Turkey who described their great difficulties attaining legal recognition and protection. Our entreaties with GOT officials in the Directorate of Religious Affairs (Diyanet) and Ministry of Interior bore fruit when, several months later, the Jehovah's

Witnesses obtained legal status in Turkey.

-Coordination with Diplomatic Corps and Human Rights Defenders: We regularly bring together diplomats, academics, and civil society members in a number of settings to discuss current and often controversial topics. We also exchange information regularly with other resident diplomats on a full range of human rights-related issues, including how the Turks could best promote their own EU accession through political reforms.

-International Visitors Program: The Mission's IVP programs play an important role in furthering USG human rights goals. In the past year, 25 Turks participated in projects specifically related to human rights and democracy, including programs on local government, civic activism, judicial reform, and trafficking in persons. One US-funded project brought a delegation of Turkish high school students to the United States for a three-week visit that examined democratic governance and respect for human rights in the United States.

-Promotion of Media Freedom and Judicial Reform: The Mission organized professional exchange programs for Turkish journalists designed to foster ethics and journalistic responsibility among younger reporters and promote freedom of expression for editors and media gatekeepers. A wide range of persons from both the secular and Islamist press attended these programs. With respect to promoting judicial reform -- a key issue for the EU and our commercial interests as well -- the USG sponsored a bilateral legal exchange project that promoted the discussion of issues dealing with freedom of expression, police conduct, and trial alternatives in the criminal justice system through the exchange of visits by U.S. and Turkish legal professionals.

-Trafficking in Persons: With the help of a US grant, the International Organization for Migration continued work with GOT authorities to implement a comprehensive mechanism to protect trafficking victims and enhance the country's capacity to combat trafficking. One-third of the grant was used to provide direct assistance to victims. The US also funded a major international public awareness campaign, including television and print media advertisements for a toll-free 24-hour victim hotline that helped rescue more than 50 victims during its first six months of operation.

-Speaker's Program: The Mission sponsors visiting speakers who focus on human rights and democracy. For example, in March 2007, the chair of Georgetown University's Government Department spoke to over 400 persons about the problem of balancing freedom and security in democratic societies. In January 2007, a University of Virginia professor spoke about freedom of religion in Istanbul.

3.(U) With respect to reform efforts the GOT has undertaken, over the past five years the GOT has embarked on a series of major legal and political reforms designed to bring its laws into conformity with EU standards. The GOT's efforts have been most effective in the following areas:

-Elimination of Torture. The GOT banned torture and ill-treatment of detainees and prisoners, which has led to near elimination of severe forms of torture and substantially reduced general ill-treatment.

-Improving Due Process Rights. Through voluminous legal changes and improved training the government has improved due process rights. All criminal defendants must be appointed a public defense attorney if he/she cannot afford one; the government reduced to 24 hours the amount of time a criminal suspect may be detained by security forces; and the government abolished State Security Courts that formerly operated outside the normal judicial system and therefore without proper due process protections.

-Prison Reform. The government has undertaken significant prison reform, including building maximum security prisons throughout the country in line with European standards, and

training prison staff on modern rehabilitation techniques.

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